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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,737	10/22/2003	Marion D. Kilgore	2003-IP-009806 UI USA	7677
30652	7590	09/22/2005	EXAMINER	
CONLEY ROSE, P.C.			WALKER, ZAKIYA NICOLE	
5700 GRANITE PARKWAY, SUITE 330			ART UNIT	
PLANO, TX 75024			PAPER NUMBER	

3676

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,737

Applicant(s)

KILGORE ET AL.

Examiner

Zakiya N. Walker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,13,14,16,18 and 19 is/are rejected.
- 7) ☒ Claim(s) 3-12,15,17 and 20-25 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03022004,02112004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the term "said" is stated in line 9. Correction is required. See MPEP § 608.01(b).
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

3. Claims 4-11 and 17 are objected to because of the following informalities:

Claim 4, line 1, the term "claim 1" should be replaced with --claim 3-- because the term "the second wedge" lacks antecedent basis.

Claim 17, line 1, the term "claim 13" should be replaced with --claim 15-- because the term "a third wedge" lack antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 13, 14, 16, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by US 4,754,812, US 4,018,272, or US 3,722,588.

US'812 discloses an apparatus that includes, with respect to claim 1, an apparatus operatively positionable within a subterranean well, comprising: a mandrel LM/SM; a double acting slip 35 and a single acting slip disposed relative to the mandrel, the double acting slip being spaced axially apart from the single acting slip; and a seal element 50, 52 carried on the mandrel. With respect to claim 13, the reference discloses an apparatus that includes a packer 1 settable within a tubular structure, the packer comprising: a mandrel LM/SM; first and second axially spaced apart slips 35 disposed relative to the mandrel, the first and second slips being radially outwardly extendable into gripping engagement with the tubular structure when the packer is set therein, the first slip resisting a load applied to the mandrel in a first axial direction, and the second slip resisting another load applied to the mandrel in a second direction, opposite to the first direction; a seal element 50, 52 carried about the mandrel, the seal element being radially outwardly extendable into sealing engagement with the tubular structure when the packer is set therein, a pressure differential in the first axial direction applied to the

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seal element being resisted by the second slip. With respect to claim 18, the reference discloses a method that includes a method of securing an apparatus within a tubular structure disposed in a subterranean well, the method comprising the steps of: disposing a double acting slip and a single acting slip axially spaced apart on the apparatus; positioning the apparatus within the tubular structure', radially outwardly extending the double acting slip and the single acting slip, each of the double acting slip and single acting slip grippingly engaging the tubular structure', and radially outwardly extending a circumferential seal element into sealing engagement with the tubular structure.

US'272 discloses an apparatus that includes, with respect to claim 1, an apparatus operatively positionable within a subterranean well, comprising: a mandrel 11; a double acting slip and a single acting slip disposed relative to the mandrel, the double acting slip 15 being spaced axially apart from the single acting slip; and a seal element 12-14 carried on the mandrel. With respect to claim 13, the reference discloses an apparatus that includes a packer 10 settable within a tubular structure, the packer comprising: a mandrel 11; first and second axially spaced apart slips 15 disposed relative to the mandrel, the first and second slips being radially outwardly extendable into gripping engagement with the tubular structure when the packer is set therein, the first slip resisting a load applied to the mandrel in a first axial direction, and the second slip resisting another load applied to the mandrel in a second direction, opposite to the first direction; a seal element 12 carried about the mandrel, the seal element being radially outwardly extendable into sealing engagement with the tubular structure when

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the packer is set therein, a pressure differential in the first axial direction applied to the seal element being resisted by the second slip. With respect to claim 18, the reference discloses a method that includes a method of securing an apparatus within a tubular structure disposed in a subterranean well, the method comprising the steps of:

disposing a double acting slip and a single acting slip axially spaced apart on the apparatus',

positioning the apparatus within the tubular structure', radially outwardly extending the double acting slip and the single acting slip, each of the double acting slip and single acting slip grippingly engaging the tubular structure', and radially outwardly extending a circumferential seal element into sealing engagement with the tubular structure.

US'588 discloses an apparatus that includes, with respect to claim 1, an apparatus operatively positionable within a subterranean well, comprising: a mandrel 27; a double acting slip 163, 79 and a single acting slip disposed relative to the mandrel, the double acting slip being spaced axially apart from the single acting slip; and a seal element 31 carried on the mandrel. With respect to claim 13, the reference discloses an apparatus that includes a packer 11 settable within a tubular structure, the packer comprising: a mandrel 27; first and second axially spaced apart slips 163, 79 disposed relative to the mandrel, the first and second slips being radially outwardly extendable into gripping engagement with the tubular structure when the packer is set therein, the first slip resisting a load applied to the mandrel in a first axial direction, and the second slip resisting another load applied to the mandrel in a second direction, opposite to the first direction; a seal element 31 carried about the mandrel, the seal element being

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radially outwardly extendable into sealing engagement with the tubular structure when the packer is set therein, a pressure differential in the first axial direction applied to the seal element being resisted by the second slip. With respect to claim 18, the reference discloses a method that includes a method of securing an apparatus within a tubular structure disposed in a subterranean well, the method comprising the steps of: disposing a double acting slip and a single acting slip axially spaced apart on the apparatus; positioning the apparatus within the tubular structure', radially outwardly extending the double acting slip and the single acting slip, each of the double acting slip and single acting slip grippingly engaging the tubular structure', and radially outwardly extending a circumferential seal element into sealing engagement with the tubular structure.

Allowable Subject Matter


6. Claims 3-12, 15, 17, and 20-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Further, the corrections must be made to claims 4-11 and 17 as noted in paragraph 3 of this Office action in order to be allowable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zakiya N. Walker whose telephone number is (571) 272-7039. The examiner can normally be reached on Monday-Friday, 8:30 AM-5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Zakiya N. Walker
Primary Examiner
Art Unit 3676

ZW
September 17, 2005